UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

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v.)	CIVIL DOCKET NO.	04-10827-JLT
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DEFENDANT'S CERTIFICATION - LR 16.1(D)(3)

The defendant and its counsel hereby certify that they have conferred:

- (a) with a view to establishing a budget for the costs of conducting the full course - and various alternative courses - for the litigation; and
- (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in LR 16.4.

SPRINGFIELD TERMINAL RAILWAY CO.

By s/Cynthia S. Scarano_ Cynthia S. Scarano Director of Claims

s/ James J. Walsh_ James J. Walsh (BBO #514560) ATTORNEY FOR DEFENDANT